

(Tew) 1638

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TRANSMITTAL FORM

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Total Number of Pages in This Submission

| | | |
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| | Application Number | 10/522,094 |
| | Filing Date | January 24, 2005 |
| | First Named Inventor | LINDERS et al. |
| | Art Unit | 1638 |
| | Examiner Name | Keith O'Neal Robinson |
| Total Number of Pages in This Submission | 4 | Attorney Docket Number |
| | | 70059USPCT |

ENCLOSURES (Check all that apply)

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| Remarks | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | | | |
|--------------|--------------------------------------|----------|--------|
| Firm Name | Syngenta Biotechnology, Inc. | | |
| Signature | | | |
| Printed name | Edouard Lebel, Agent for Application | | |
| Date | FEbruary 9, 2006 | Reg. No. | 43,742 |

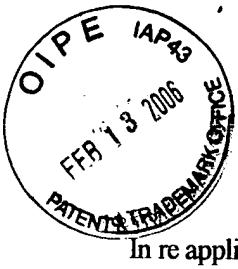
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This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

LINDERS et al

Serial. No.: 10/522,094

Filed: January 24, 2005

For: CLUBROOT RESISTANT BRASSICA
OLERACEA PLANTS

Art Unit: 1638

Examiner: Keith O'Neal Robinson

Atty Docket: 70059USPCT

Confirmation No.: 9236

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with 37 CFR §1.56, Applicants wish to call the Examiner's attention to the references cited on the attached Form PTO-1449. The items listed on the enclosed Form PTO-1449 may be deemed to be pertinent to the above-identified application and are made of record to assist the Patent and Trademark Office in its examination of this application. In accordance with the United States PTO Official Gazette Notice of August 5, 2003, copies of all cited references except U.S. patents and U.S. patent applications are enclosed herewith.

The submission of these references is made solely for the purpose of complying with Applicant's duty of disclosure, and is not intended as a surrender of patentable subject matter nor is it intended to create prosecution history estoppel.

Also enclosed is a copy of the International Search Report of corresponding International Application No. PCT/EP03/08197.

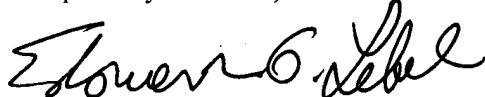
In re Application of LINDERS
Serial No. 10/522,094

Applicants respectfully request that the Examiner review the foregoing references and that the references be made of record in the file history of the application.

The Examiner is requested to consider the foregoing information in relation to this application and to indicate that each reference was considered by returning a copy of the initialed PTO 1449 forms.

In accordance with 37 CFR §1.97(b)(3), no fee is believed to be required for consideration of this statement because it is being submitted before the mailing date of a first Office Action on the merits. However, the Commissioner is authorized to charge any fee under 37 C.F.R. §1.17 that may be required, to Deposit Account No. 50-1744 in the name of Syngenta Biotechnology, Inc.

Respectfully submitted,

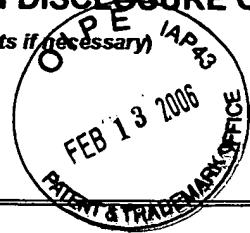


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U.S. PATENT DOCUMENTS

| EXAMINER INITIAL | | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | FILING DATE |
|------------------|---|-----------------|------------|-----------------|-------|----------|-------------|
| | A | 5,254,802 | 10/19/1993 | Hoekstra et al. | 800 | 220 | 12/10/1990 |

FOREIGN PATENT DOCUMENTS

| | | DOCUMENT NUMBER | DATE | OFFICE | CLASS | SUBCLASS | TRANSLATION YES NO |
|--|---|-----------------|------------|--------|-------|----------|--|
| | B | WO 00/055340 | 09/21/2000 | WIPO | C12N | 15/82 | <input type="checkbox"/> <input checked="" type="checkbox"/> |
| | C | WO 03/000898 | 01/03/2003 | WIPO | C12N | 15/29 | <input type="checkbox"/> <input checked="" type="checkbox"/> |

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent pages, Etc.)

| | |
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| D | Botstein et al. <i>Construction of a genetic linkage map in man using restriction fragment length polymorphisms</i> <i>The American Journal of Human Genetics</i> , Vol. 32, (1980), pp. 314-331 |
| E | Bradshaw et al. <i>Transfer of resistance to clubroot (<i>Plasmodiophora brassicae</i>) to Swedes (<i>Brassica napus L. var. napobrassica Peterm</i>) from <i>B. rapa</i></i> <i>Annals of Applied Biology</i> , Vol. 130, (1997), pp. 337-348 |
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| G | Chang H. et al. Database GSN Online, November 20, 2003: <i>Rice gene SEQ ID NO:4190</i> Accession No. ADA70867 |
| H | Chiang et al. <i>Richelain: A clubroot-resistant cabbage cultivar</i> <i>Canadian Journal of Plant Science</i> , Vol. 69, (January, 1989), pp. 337-340 |
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| N | Gowers, S. <i>The transfer of characters from Brassica Campestris L. to Brassica Napus L.: Production of clubroot-resistant oil-seed rape (B. Napus SSP Oleifera)</i> <i>Euphytica</i> , Vol. 31, (1982), pp. 971-976 |
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| P | Hearne et al. <i>Microsatellites for linkage analysis of genetic traits</i> <i>Trends in Genetics</i> , Vol. 8, no. 8, (1992), pp. 288-294 |
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| | AI | Williams et al. <i>DNA polymorphisms amplified by arbitrary primers are useful as genetic markers</i> <i>Nucleic Acids Research</i> , Vol. 18, no. 22, (1990), pp. 6531-6535 |
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